

1 C. Anthony Hughes SBN: 250998
2 1540 Jefferson Blvd.
3 West Sacramento, CA 95691
4 Ph: 916.440.6666
5 Fax: 916.254.6666
6 Attorney for Debtors

5 UNITED STATES BANKRUPTCY COURT
6 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

7 In re:) Case No. 09-43614-E-13L
8 JAGDEEP SINGH) Chapter 13
9 and GURBINDAR KAUR SINGH) Docket Control No.: CAH-006
10)
11 Debtors) Judge: Ronald H. Sargis
12) Date: 05/04/2010
13) Time: 02:00 PM
14) Place: 501 I Street, 6th Floor
15) Sacramento, CA 95814
16) Department E – Courtroom 33
17) Trustee: Lawrence J. Loheit
18)
19) MOTION FOR AN ORDER ALLOWING
20) DEBTORS TO SELL REAL PROPERTY AT 7701
21) & 7703 LOUCRETA DRIVE, SACRAMENTO,
22) CA 95828

19 The Debtors move, by and through their attorney C. Anthony Hughes, the court for an
20 order allowing the Debtors to sell the real property 7701 & 7703 LOUCRETA DRIVE,
21 SACRAMENTO, CA 95828.

22
23 The Debtors cannot afford the current payment plan that include the two houses. They
24 want to be renter so that they would be able to afford a payment plan for their Chapter 13
25 case.

1 The terms of the proposed sale are as follows:

2 1. The prospective buyer is BALWINDER KAUR. The buyer is bona fide buyer and is not a
3 party of interest.

4 2. The buyer has made an offer to buy the property at \$79,000.00. The buyer and the
5 sellers shall split the escrow fee and the seller shall pay for the closing cost of \$5,000.00.
6 See attached purchase agreement.

7 3. Title Company: OF SELLER'S CHOICE.

8 4. The Debtors would like to short-sell the subject property to reduce the liability.

9 5. All debts owed to creditors with liens and security interests encumbering the property
10 will be satisfied before or simultaneously with the transfer of title or possession to the
11 buyer and such debts shall be paid in accordance with the sales contract.

12 6. Debtors will not receive any proceeds from the sale.

13 7. Debtors will not relinquish title to or possession of the property prior to payment in full
14 of the purchase price.

15 8. Any costs of the sale will be paid in full from the sale proceeds and escrow shall not
16 close without all liens and encumbrances being paid in full.

17 9. Net proceeds if any is left over are to be submitted to the Trustee for the benefit of
18 general unsecured creditors.

19 10. The sale of the property shall not affect the ability of the Debtors to continue the
20 (modified) Plan or to repay creditors.

21 11. The Trustee must approve the Title Company to be used in connection with the sale.

22

23 WHEREFORE, Debtors respectfully request an order granting this application to sell the
24 property.

25 Respectfully submitted,

26

27 Dated: 04/06/10

28 /s/ C. Anthony Hughes

 C. Anthony Hughes